

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

LAFACE RECORDS, LLC, a Delaware limited liability company; ATLANTIC RECORDING CORPORATION, a Delaware corporation; BMG MUSIC, a New York general partnership; CAPITOL RECORDS, INC., a Delaware corporation; ELEKTRA ENTERTAINMENT GROUP, INC., a Delaware corporation; INTERSCOPE RECORDS, a California general partnership; MAVERICK RECORDING COMPANY, a California joint venture; PRIORITY RECORDS, LLC, a California limited liability company; SONY BMG MUSIC ENTERTAINMENT, a Delaware general partnership; UMG RECORDINGS, INC., a Delaware corporation; and WARNER BROS. RECORDS, INC., a Delaware corporation,

Plaintiffs,

Case No. 2:07-cv-187

-v-

HONORABLE PAUL L. MALONEY

DOES 1 - 5,

Defendants.

**ORDER GRANTING PLAINTIFFS' EX PARTE APPLICATION FOR LEAVE TO TAKE
IMMEDIATE DISCOVERY**

Before the Court is Plaintiffs' ex parte request to serve a Rule 45 subpoena on a third party in an effort to determine the identity of the five unknown Defendants. (Dtk. No. 2). For the reasons outlined in the contemporaneously filed opinion, Plaintiffs' Application is **GRANTED, WITH MODIFICATIONS. IT IS HEREBY ORDERED:**

(1) Plaintiffs may take immediate discovery by serving a Rule 45 subpoena on Northern Michigan University seeking information sufficient to identify Does 1-5, including the name, current and permanent addresses, telephone numbers, email addresses, and Media Access Control addresses for

each Defendant. The return date of the subpoena shall be no earlier than 14 days from date of service upon the University.

(2) Any information disclosed to Plaintiffs in response to the subpoena may be used solely for the purpose of protecting Plaintiffs' rights under the Copyright Act as set forth in the complaint.

(3) With the subpoena and a copy of this Order, Plaintiffs shall serve Northern Michigan University with a copy of the opinion issued by this Court permitting the issuance of the subpoena.

(4) Northern Michigan University may move to quash or modify the subpoena at any time before the return date of the subpoena. Northern Michigan shall preserve the information sought in the subpoena until it has been provided to Plaintiffs or until otherwise ordered by the Court.

(5) Within seven days after service of the subpoena, Northern Michigan University shall make a reasonable effort to inform the individuals whose identities would be revealed by compliance with the subpoena. Where possible, Northern Michigan University shall provide a copy of the subpoena and the opinion and order to those individuals.

(6) Those individuals who receive notice of the subpoena from Northern Michigan University may move to quash or modify the subpoena at any time before the return date of the subpoena.

Date: September 27, 2007

/s/ Paul L. Maloney

Paul L. Maloney
United States District Judge